



MINUTES OF THE ENVIRONMENTAL REVIEW BOARD (ERB)
Santa Monica Mountains
MEETING OF JANUARY 25, 2009
(Minutes approved on February 22, 2010)

PERSONS IN ATTENDANCE:

ERB MEMBERS

Rosi Dagit (absent)
Dr. Noël Davis (absent)
Ron Durbin
Suzanne Goode
Dr. Margot Griswold
Richard Ibarra
Dr. Travis Longcore
David Magney (absent)

REGIONAL PLANNING STAFF

Jeff Juarez (ERB Coordinator)
Dr. Shirley Imsand (County Biologist)
Gina Natoli (DRP staff)

Project No. R2006-03840/RENV2006-00262

The Will Geer Theatricum Botanicum, Topanga/APN: 4440-012-006, 4440-006-004, -005

Ellen Geer	egtree@theatricum.com
Oscar McGraw	oscar@oscarmcgraw.com

.....
AGENDA ITEMS & PAGINATION:

1. Review December 21, 2009 meeting minutes, p. 2

NEW BUSINESS:

2. **Project No. R2006-03840/RENV2006-00262 (The Will Geer Theatricum Botanicum)**
1419 N. Topanga Canyon Blvd., Topanga/APN: 4440-012-006, 4440-006-004, -005, pp. 2-5

OTHER MATTERS

3. Public comment pursuant to Section 54954.3 of the Government Code, p. 5

NOTE: ERB MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED AS VOLUNTEERS TO SERVE IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. MEETINGS ARE ALSO RECORDED ON TAPE WHICH IS USED PRIMARILY AS A BACK-UP FOR STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE MEETING. NEW OR CLARIFIED INFORMATION PRESENTED IN BIOTA REVISIONS MAY RAISE NEW ISSUES AND REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE FOLLOWING MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.

ERB MINUTES
January 25, 2010

1. December 21, 2009 meeting minutes: The minutes were approved without amendment on a motion by Ron Durbin and a second motion by Suzanne Goode.

ERB Coordinator Note: A quorum could not be achieved for the meeting on December 21, 2009. Therefore, a formal decision on the following project was not made at that time. However, the ERB offered comments and suggestions that could become recommendations at a subsequent meeting. The applicant agreed to hear the ERB's comments and suggestions, and requested to be placed on the January 2010 ERB meeting agenda.

NEW BUSINESS

2. The Will Geer Theatricum Botanicum (Improvements to existing outdoor theatre)

Project No. R2006-03840
Permit No. Conditional Use Permit No. 2006-00336
Oak Tree Permit No. 2006-00083
Variance No. 200600017
Environmental Review No. 2006-00262
APN: 4440-012-006, 4440-006-004, -005
Location: 1419 N. Topanga Canyon Blvd., Topanga
Applicant: Ellen Geer, Owner

Project: The project proposes the expansion of an existing outdoor theater and botanical garden, including construction of: a commissary deck (245 square feet); a two-story caretaker's residence with storage and workshop (2,397 sq. ft. w/ 1,240 sq. ft. footprint); a prop shop (1,680 sq. ft. w/ 840 sq. ft. footprint); office/storage above existing restrooms (350 sq.ft.); a 20-foot wide fire access extension; solar panels (1,320 sq. ft.); and 46 unpaved tandem parking spaces on the southern portion of the project site. The existing caretaker's trailer and various other small structures will be removed; the existing caretaker's carport will remain. The proposed project would result in an overall total of 14,857 sq. ft. (.34 acres) of lot coverage by structures and 143 parking spaces on the 5-acre project site. Additional off-site parking consists of 114 spaces at Topanga Community Center. To accommodate the improvements, the

project proposes removal of one (1) oak tree and encroachment into the protected zones of 23 oak trees.

Resource: The project site is located in the Topanga area of the Santa Monica Mountains Malibu Coastal Zone. A majority of the project site is within a Significant Oak Woodland. An ESHA-designated Inland Oak Woodland is located on the western edge of the project site (on parcel 4440-006-005), and Topanga Creek (ESHA) traverses the eastern side of the project site from north to south (parallel to Topanga Canyon Blvd.)

Request: **Review the proposal for an expansion of the outdoor theater and botanical garden, render a decision on the project, and indentify any appropriate recommendations for the project. The ERB recommendations will be used as guidelines by the Regional Planning Commission and as part of any necessary environmental review of the project under the California Environmental Quality Act (CEQA). Projects normally exempt from CEQA are subject to environmental review when in sensitive locations [PRC §15300.2(a)].**

APPLICANT COMMENTS:

- The applicant agreed to have Gina Natoli as a temporary ERB board member to achieve a quorum.
- The applicant commented that the solar panels have previously been approved by the DRP and the Coastal Commission, and requested guidance from the ERB as to how the plans should reflect that fact.
- The sheds exist and would remain in their current location. The solar panels would be elevated above the sheds.
- The applicant commented that in terms of intensity of use, the difference between the current CUP and the proposed CUP is that during the winter the site would accommodate weekend sessions. Currently, those sessions occur off-site during the winter.
- The applicant pointed out that only non-native vegetation will be removed to accommodate the new prop shop/storage building.

ERB COMMENTS:

- The ERB was concerned about the solar panels having already been considered under a separate permit, which indicated that the project was being considered in a piecemeal fashion. The ERB stated that the solar panels should be considered as part of this project, even if they have already been approved or exempted, for the purpose of analyzing their related impacts.
- A revised site plan should be submitted that depicts the solar panel improvements covered by that permit, including the locations of the conduit line trenching, electrical boxes/panels, and solar panel support posts, and permit number reference should be noted on the plan.
- The ERB advised that the slope areas adjacent to the existing shed should not be impacted by grading or drilling for construction of the solar panels, such as drilling for the placement of the support posts.
- The plans should show the existing structures (such as sheds) that are proposed for removal with a dashed line and noted: “existing structure to be removed.”

- Mitigation oak trees planted within Topanga Creek should be planted along the banks and not in the low-flow area of the creek.
- The project should incorporate dark sky friendly lighting, especially around the creek; lights should be directed away from the creek and are not to be located in the creek.
- The project should implement a plan to phase out the five eucalyptus trees that are proposed to remain on the site for shade purposes. Oaks can be planted in the area of the eucalyptus; the eucalyptus can be gradually trimmed back to allow light for the oaks. The oaks will gradually replace the eucalyptus, which will eventually be removed.
- The Italian cypress trees are to be removed. The applicant should coordinate with Caltrans to remove cypress trees within the Caltrans right-of-way.
- Oak tree replacement plantings should have a more naturally appearing placement, and not placed in a row.
- The ERB pointed out that because of the on-going issues and concerns related to the project site, such as the phased removal of vegetation, it would not be in the best interest of the CUP to have it go for 30 years. The ERB recommends a 15-year CUP so that progress on these issues can be monitored.
- The project should adhere to the recommendations stated in the ERB meeting minutes of December 21, 2009.

ERB RECOMMENDATIONS:

- The project shall adhere to the recommendations stated in the ERB meeting minutes of December 21, 2009 (included below).
- Due to on-going site issues that are of concern to the ERB, such as the phasing out of non-native vegetation, the ERB recommends a 15-year CUP so that the progress on addressing these issues can be reviewed sooner.
- A revised site plan shall be submitted depicting the previously approved or exempted solar panels and related improvements, including the locations of the conduit line trenching, electrical boxes/panels, and solar panel support posts, and provide a note on the plan referencing the previously approved permit number.
- The construction of the solar panels shall not impact the adjacent slope areas through grading or drilling.
- The site plan shall depict existing structures (such as sheds) that are proposed for removal with a dashed line and noted: "existing structure to be removed."
- Mitigation oak trees planted within Topanga Creek shall be planted along the banks and not in the low-flow area of the creek.
- The project shall implement a plan to phase out the five eucalyptus trees that are proposed to remain on the site and replace them with coast live oak trees.
- The on-site Italian cypress trees shall be removed. The applicant should coordinate with Caltrans to remove the off-site Italian cypress trees located within the Caltrans right-of-way along Topanga Canyon Boulevard.
- Oak tree replacement plantings shall be placed in a more naturally appearing fashion, and not placed in a row.
- The project shall incorporate dark sky friendly lighting, especially around Topanga Creek; lights shall be directed downwards but away from the creek and are not to be located within the creek. Exterior night lighting shall be minimized using low intensity (lights not exceeding 800 lumens), low stature fixtures (2.5-3 ft.). If DPW does not require public lighting, then none shall be used. Security lighting, if used, shall be on an infrared detector.

ERB recommendations from the December 21, 2009 meeting minutes:

- Potential impacts to the oak trees adjacent to the proposed 10-foot tall fence shall be considered in the oak tree report. In addition, oak trees within the Caltrans right-of-way that may be impacted by this project shall also be considered in the oak tree report.
- Please indicate on the site plan the number and location of all eucalyptus trees. All or most of the eucalyptus trees shall be removed.
- All Italian cypress, arundo donax, and vinca located on-site shall be removed, per the instructions provided in the meeting minutes of December 21, 2009.
- Mitigation for removal of tree number 73 shall be the planting of two 15-gallon oak trees. The location of the replacement oak trees shall be shown on the site plan.
- Replacement oak trees shall not be "lolly-popped."
- Errors in the plans' numbering system shall be corrected (such as tree numbers 3 and 13).
- Trees labeled as "canyon oak" shall be changed to "coast live oak."
- Fuel modification will still be required for the existing sheds.

ERB Meeting Date: January 25, 2010

ERB Evaluation: Consistent X Consistent after Modifications
 Inconsistent No decision

Staff Recommendation:

 Consistent X Consistent after Modifications
 Inconsistent No decision

OTHER MATTERS

1. Public comment pursuant to Section 54954.3 of the Government Code.
 - No comments from the public were made.